

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: November 10, 2009
Public Hearing: December 1, 2009

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4029, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance changing the zoning of All of Lot 9 and the North 10 feet of Lot 8, Block 273, Campbell Addition, City of El Paso, El Paso County, Texas from A-2 (Apartment) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1015 North Florence Street. Property Owners: Maria Otero & Hector J. Gutierrez, ZON09-00043 (**District 8**).

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (4-0)

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres
Director, Development Services

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING ALL OF LOT 9 AND THE NORTH 10 FEET OF LOT 8, BLOCK 273, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO A-O (APARTMENT/OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of *All Of Lot 9 and the North 10 feet of Lot 8, Block 273, Campbell Addition, City of El Paso, El Paso County, Texas*, be changed from **A-2 (Apartment) to A-O (Apartment/Office)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ of _____ 2009

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew McElroy Deputy Director
Development Services Department -
Planning Division

MEMORANDUM

DATE: October 26, 2009

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Andrew Salloum, Planner

SUBJECT: ZON09-00043

The City Plan Commission (CPC), on August 27, 2009, voted **4-0** to recommend **APPROVAL** of rezoning subject property from A-2 (Apartment) to A-O (Apartment/Office).

The CPC found that the rezoning is in conformance with The Plan for El Paso. There is no projected land use map. The CPC also determined that the rezoning protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the rezoning will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was **NO OPPOSITION** to this request.

Attachment: Staff report



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00043
Application Type: Rezoning
CPC Hearing Date: October 8, 2009
Staff Planner: Andrew Salloum, 915-541-4029, salloumam@elpasotexas.gov

Location: 1015 North Florence Street
Legal Description: All of Lot 9 and the North 10 feet of Lot 8, Block 273, Campbell Addition, City of El Paso, El Paso County, Texas
Acreage: 0.1019
Rep District: 8
Existing Use: Single-Family Residential
Request: A-2 (Apartment) to A-O (Apartment/Office)
Proposed Use: Beauty Salon with Art Gallery

Property Owner: Maria Otero & Hector J. Gutierrez
Applicant: Maria Otero & Hector J. Gutierrez
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartment) / Multi-Family Residential
South: A-2 (Apartment) / Multi-Family Residential
East: A-2 (Apartment) / Multi-Family Residential
West: A-2 (Apartment) / Multi-Family Residential

THE PLAN FOR EL PASO DESIGNATION: Commercial (Central Planning Area)

Nearest Park: Houston Park (1,332 Feet)

Nearest School: El Paso High (2,136 Feet)

NEIGHBORHOOD ASSOCIATIONS

There are no registered neighborhood associations in the area.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on September 16, 2009. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the property from A-2 (Apartment) to A-O (Apartment/Office) in order to permit a beauty salon with an art gallery. The property is 0.1019 acres in size and is currently an existing 1,544 square-foot office building. The applicant has submitted a special permit application ZON09-00043 to allow for a beauty salon and 100% parking reduction.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The DCC recommends **APPROVAL** of rezoning the property from A-2 (Apartment) to A-O (Apartment/Office).

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of rezoning the property from A-2 (Apartment) to A-O (Apartment/Office).

The Plan for El Paso-City-Wide Land Use Goals

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality, and livability of the city's neighborhoods.
- d. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character

The purpose of the A-O (Apartment/Office) district is to promote and preserve residential development within the City associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas and certain non-residential uses and support facilities.

Development Services Department - Building Permits and Inspections Division

Zoning Review: no comments received.

Landscape Review: Landscape is not required for this project as per 18.46.060 B.

Development Services Department - Planning Division

The Planning Division recommends **APPROVAL** of rezoning the property from A-2 (Apartment) to A-O (Apartment/Office).

Land Development:

- ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- Grading plan and permit shall be required.*
- Storm Water Pollution Prevention Plan and/or permit required.*
- Drainage plans must be approved by the Development Services Department, Engineering
- Section.*
- Additional Comments: Site location is not located within a Special Flood Hazard Area, Flood Zone C, Panel 480214 0039 B.

* This requirement will be applied at the time of development.

Engineering Department - Traffic Division

No objection to proposed zoning change.

Street Department:

We offer no objections but the following conditions shall be placed on the approval.

- The 20 foot Alley shall be paved and improved to the southerly property line of 1015 Florence as per Design Standards for Construction; if required to provide access to the parking spaces at the back of the property.
- All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations.

Fire Department

The El Paso Fire Department reviewed ZON09-00043 a Rezoning Request at 1015 North Florence Street and we have no opposition at this time.

El Paso Water Utilities

EPWU does not object to this request.

Sun Metro:

Sun Metro has no opposition to this rezoning request.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified in the Plan by the CPC.

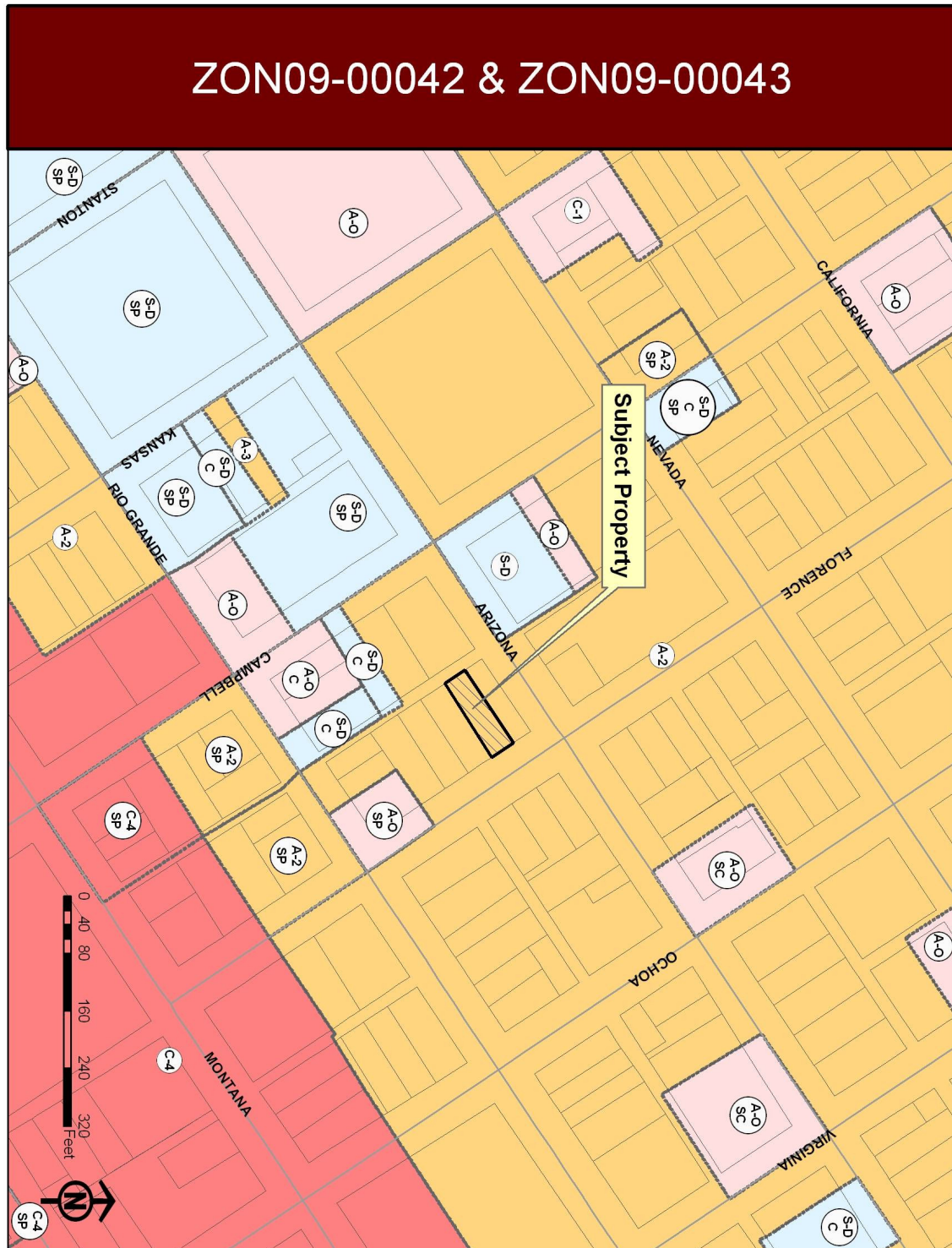
Attachments:

Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

ZON09-00042 & ZON09-00043



ATTACHMENT 3: CONCEPTUAL SITE PLAN

